

General Assembly

Amendment

January Session, 2021

LCO No. 9807



Offered by:

SEN. SLAP, 5th Dist.

SEN. WITKOS, 8th Dist.

REP. ELLIOTT, 88th Dist.

REP. HAINES, 34th Dist.

REP. FARRAR, 20th Dist.

To: Subst. Senate Bill No. 881

File No. 679

Cal. No. 227

"AN ACT CONCERNING WORKFORCE DEVELOPMENT."

- 1 Strike everything after the enacting clause and substitute the
- 2 following in lieu thereof:
- 3 "Section 1. (NEW) (Effective July 1, 2021) (a) As used in this section
- 4 and section 2 of this act:
- 5 (1) "Participating institution" means (A) an institution of higher
- 6 education within the Connecticut State University System, or (B) any
- 7 other institution of higher education in the state that enters into a
- 8 memorandum of agreement with the Board of Regents for Higher
- 9 Education in accordance with subsection (d) of this section.
- 10 (2) "Other institution of higher education" means an institution of

11 higher education in the state that (A) is not within the Connecticut State 12 University System, (B) is a nonprofit institution of higher education, (C) 13 has graduated one hundred or more students with a bachelor's degree 14 each year for the preceding four years, (D) maintains eligibility to 15 participate in financial aid programs governed by Title IV, Part B of the 16 Higher Education Act of 1965, as amended from time to time, (E) has 17 not been determined by the United States Department of Education to 18 have a financial responsibility score that is less than 1.5 for the most 19 recent fiscal year for which the data necessary for determining the score 20 is available, and (F) is accredited as a degree-granting institution in good 21 standing for ten years or more by a regional accrediting association 22 recognized by the Secretary of the United States Department of 23 Education, and maintains such accreditation status.

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(b) Not later than April 1, 2022, the Board of Regents for Higher Education, in consultation with institutions of higher education that are eligible to be participating institutions, shall (1) establish the Connecticut Automatic Admissions Program, and (2) adopt rules, procedures and forms necessary to implement such program. Under the Connecticut Automatic Admissions Program, a participating institution shall admit an applicant as a full-time, first-year student to an in-person bachelor's degree program if such applicant (A) meets or exceeds the academic threshold established pursuant to subsection (e) of this section, (B) qualifies as an in-state student pursuant to section 10a-29 of the general statutes, (C) is in his or her last school year before graduation and enrolled at a public high school in the state or a nonpublic high school in the state, approved pursuant to subsection (g) of this section, and (D) if required by a participating institution, earns a high school diploma, an adult education diploma, or other equivalent credential. A participating institution may conduct a comprehensive review of any application submitted by an applicant who applies through the Connecticut Automatic Admissions Program, which may entail requesting additional application materials from such applicant or result in denying admission to such applicant. Each participating institution shall make an effort to minimize the number of students

45 subjected to a comprehensive review if such student meets the

- 46 requirements of subparagraphs (A) to (D), inclusive, of this subsection.
- 47 Applicants admitted to a participating institution under the Connecticut
- 48 Automatic Admissions Program are not guaranteed admission into any
- 49 specific bachelor's degree program at such institution.

- (c) The Board of Regents for Higher Education shall create a simple online application form for students to apply to participating institutions under the Connecticut Automatic Admissions Program. Such application form (1) shall require a student to verify that such student meets the qualifications specified in subsection (b) of this section, and (2) may require a student to provide such student's state-assigned student identifier, if such student has a state-assigned student identifier pursuant to section 10-10a of the general statutes. Such application form shall not require an application fee or the submission of an essay or recommendation letters. Such application shall embed or link to information and resources regarding (A) college admissions and financial aid, and (B) the net cost of completing a bachelor's degree program, graduation rates, average earnings for graduates of participating institutions and, if possible, common majors at each participating institution.
- (d) Any other institution of higher education may enter into a memorandum of agreement with the Board of Regents for Higher Education to participate in the Connecticut Automatic Admissions Program. Each such other institution of higher education shall use the online application form created pursuant to subsection (c) of this section and comply with the provisions of subsection (e) of this section. The Board of Regents for Higher Education may charge a reasonable fee to such other institution of higher education that is not a constituent unit of the state system of higher education for participation in the program. Such fee shall not exceed the board's cost for including such other institution of higher education in the program or twenty-five thousand dollars, whichever is less.
- (e) (1) The Board of Regents for Higher Education shall establish (A)

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a minimum class rank percentile for applicants to qualify for admission through the Connecticut Automatic Admissions Program to each participating institution, and (B) a standardized method for calculating grade point average that shall be used to determine class rank percentile.

(2) Each participating institution shall establish an academic threshold for admission to such institution through the Connecticut Automatic Admissions Program. Any other institution of higher education shall establish one or more of the following academic thresholds: (A) The minimum class rank percentile established by the Board of Regents for Higher Education pursuant to subparagraph (A) of subdivision (1) of this subsection, (B) a minimum grade point average calculated in accordance with the standardized method established by the board pursuant to subparagraph (B) of subdivision (1) of this subsection, or (C) a combination of a minimum grade point average calculated in accordance with the standardized method established by the board pursuant to subparagraph (B) of subdivision (1) of this subsection and performance on a nationally recognized college readiness assessment administered to students enrolled in grade eleven pursuant to subdivision (3) of subsection (c) of section 10-14n of the general statutes. Each state university within the Connecticut State University System shall establish the academic threshold set forth in subparagraph (A) of this subdivision and may establish the additional academic thresholds set forth in subparagraphs (B) and (C) of this subdivision. An applicant shall be deemed to have satisfied the academic threshold for admission to a participating institution through the Connecticut Automatic Admissions Program if such applicant satisfies any one of the academic thresholds established by such institution.

(3) No governing board of a participating institution shall establish policies or procedures that require any academic qualifications in addition to the qualifications specified in subsection (b) of this section and the academic threshold established pursuant to this subsection for the purposes of the Connecticut Automatic Admissions Program.

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112 (f) No participating institution shall consider the admission of a 113 student through the Connecticut Automatic Admissions Program in 114 determining such student's eligibility for need-based or merit-based 115 financial aid.

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- (g) The supervisory agent of a nonpublic high school in the state may submit an application to the Board of Regents for Higher Education, in the form and manner prescribed by the board, to participate in the Connecticut Automatic Admissions Program. The board shall approve any such application provided such nonpublic high school (1) is accredited by a generally recognized accrediting organization or is operated by the United States Department of Defense, and (2) complies with the provisions of section 2 of this act.
- Sec. 2. (NEW) (Effective July 1, 2021) (a) For the school year commencing July 1, 2022, and each school year thereafter, for the purpose of qualifying a student for the Connecticut Automatic Admissions Program, established pursuant to section 1 of this act, each local and regional board of education shall (1) calculate a grade point average using the standardized method established by the Board of Regents for Higher Education pursuant to subsection (e) of section 1 of this act, for each student who completes eleventh grade, and (2) determine whether such student's class rank percentile is above or below the minimum established by the Board of Regents for Higher Education pursuant to subsection (e) of section 1 of this act. Each local and regional board of education shall share a student's grade point average and whether such student is above or below the minimum class rank percentile with (A) the student, (B) the student's parent or guardian, (C) the Department of Education, in the form and manner prescribed by the department, and (D) upon the student's request, a participating institution for the purposes of applying to such participating institution under the Connecticut Automatic Admissions Program.
 - (b) Nothing in this section shall be construed to require a local or regional board of education to publish or provide a class ranking for any

student or to publish on a student's transcript the grade point average calculated pursuant to subsection (a) of this section or whether such student is above or below the minimum class rank percentile established

- by the Board of Regents for Higher Education pursuant to subsection (e)
- of section 1 of this act.

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- (c) For the school year commencing July 1, 2022, and each school year thereafter, each local and regional board education shall notify each student enrolled in his or her final year of high school, and the parent or guardian of such student, whether such student may be admitted to at least one participating institution under the Connecticut Automatic Admissions Program based on the academic threshold established by such institution pursuant to subsection (e) of section 1 of this act.
- 157 Sec. 3. (NEW) (Effective July 1, 2021) (a) As used in this section:
- (1) "Eligible organization" means any provider of a training program 158 including, but not limited to, a provider of a training program listed on 159 160 the Labor Department's Eligible Training Provider List, 161 apprenticeship or preapprenticeship program sponsor, a provider of an 162 alternate route to certification program approved by the State Board of 163 Education, an institution of higher education, a private occupational 164 school, an employer, a state or municipal agency and a public or 165 nonprofit social service provider in the state; and
 - (2) "Approved class" means a set of employees, clients, students or customers of an eligible organization.
 - (b) Not later than January 1, 2022, the Commissioner of Transportation shall establish the CTpass program to allow individuals in an approved class for an eligible organization to use certain public transit services without cost or at a reduced cost. The commissioner shall post information regarding the CTpass program and application process for such program on the Department of Transportation's Internet web site in a manner that, in the commissioner's discretion, will maximize awareness and participation by the greatest number of eligible organizations.

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(c) Upon receipt of an application from an eligible organization to participate in the CT pass program, the commissioner may negotiate the terms and conditions and enter into a contract with such eligible organization. The commissioner may treat several eligible organizations as a single eligible organization for the purposes of a contract under the CTpass program. Such terms and conditions shall include, but need not be limited to, (1) the amount of compensation or reimbursement required from the eligible organization, (2) the definition of approved class specific to the eligible organization, and (3) any limitations on times of use or types of public transit services available to the approved class. The compensation or reimbursement negotiated in the contract shall be in an amount as the commissioner deems necessary or advisable, provided the amount is sufficient to ensure that transit service expenditures incurred by the department do not increase as a result of the CTpass program and to cover any administrative costs incurred by the department in the operation of the CTpass program. A contract under the CTpass program shall be valid upon the approval of the Office of Policy and Management for a term of not more than two years, except the first contract with an eligible organization shall not exceed twelve months. Prior to any renewal of a contract with an eligible organization under the CTpass program, the commissioner shall consider prior pass utilization information and any transit service expenditure increases incurred by the department for the purpose of reevaluating the amount of compensation or reimbursement required from such eligible organization.

(d) Not later than January 1, 2023, and annually thereafter, the Commissioner of Transportation shall submit a report to the Secretary of the Office of Policy and Management on the financial data and pass utilization information for each contract under the CTpass program.

Sec. 4. (NEW) (Effective July 1, 2021) (a) Not later than December 1, 2021, and annually thereafter until December 1, 2024, each employer in the state with one hundred or more employees shall notify the employees of such employer who are residents of the state about (1) whether such employer offers to employees an education assistance

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program under 26 USC 127, and (2) if an education assistance program is offered to employees, the benefits included in such program and the manner in which an employee may enroll in such program.

- (b) An employee shall have no cause of action against an employer for not offering an education assistance program under 26 USC 127 to employees or for failure to notify employees about such program pursuant to subsection (a) of this section.
- (c) The Commissioner of Economic and Community Development shall make information and resources regarding education assistance programs under 26 USC 127 available to employers in the state.
- Sec. 5. (*Effective July 1, 2021*) (a) The University of Connecticut shall (1) to the extent possible, remove prerequisites from each University of Connecticut Early College Experience course offered in the state, and (2) work with local and regional boards of education to increase access to such Early College Experience courses.
 - (b) Not later than October 1, 2022, The University of Connecticut shall submit to the Commissioner of Education and, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to higher education and education a report on (1) the prerequisites required for University of Connecticut Early College Experience courses, (2) how these prerequisites compare to prerequisites required for similar courses offered by other institutions of higher education and for advanced placement, International Baccalaureate and Cambridge International programs, (3) the demographics of enrolled students, and (4) the actions taken by the university to increase access to its Early College Experience courses.
 - Sec. 6. (*Effective July 1*, 2021) Not later than February 1, 2022, the Board of Trustees of The University of Connecticut and the Board of Regents for Higher Education shall each submit to the Commissioner of Education and, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General

243 Assembly having cognizance of matters relating to education and 244 higher education a report on its policies for each institution of higher 245 education governed by such board concerning when course credit is 246 awarded to an undergraduate student attending such institution of 247 higher education for such student's score on an advanced placement, an 248 International Baccalaureate, a Cambridge International or a University 249 of Connecticut Early College Experience exam taken while enrolled in 250 high school.

Sec. 7. (NEW) (Effective July 1, 2021) (a) Any information contained in a Free Application for Federal Student Aid or a state application for student financial aid and personally identifiable information contained in applications for admission to institutions of higher education, including applications under the Connecticut Automatic Admissions Program established pursuant to section 1 of this act, held by any department, board, commission, public institution of higher education or any other agency of the state, or any local or regional board of education or state-administered school system shall not be deemed to be a public record for purposes of the Freedom of Information Act, as defined in section 1-200 of the general statutes, and shall not be subject to disclosure under the provisions of section 1-210 of the general statutes.

- (b) Any confidential information about an individual, including, but not limited to, information from an individual's application for admission, application for financial aid or immigration status, that becomes known to an officer, employee or agent of a local or regional board of education or an institution of higher education in the state may be disclosed to a federal immigration authority, as defined in section 54-192h of the general statutes, only if such disclosure is:
- (1) Authorized in writing by the individual to whom the information pertains, or by the parent or guardian of such individual if the individual is a minor or not legally competent to consent to such disclosure;

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275 (2) Necessary in furtherance of a criminal investigation of terrorism; 276 or

(3) Otherwise required by state or federal law or in compliance with a judicial warrant or court order issued by a judge or magistrate of the state or federal judicial branches.

Sec. 8. (NEW) (Effective July 1, 2021) (a) As used in this section:

- (1) "Credential" means a documented award issued by an authorized body, including, but not limited to, a (A) degree or certificate awarded by an institution of higher education, private occupational school or provider of an alternate route to certification program approved by the State Board of Education for teachers, (B) certification awarded through an examination process designed to demonstrate acquisition of designated knowledge, skill and ability to perform a specific job, (C) license issued by a governmental agency which permits an individual to practice a specific occupation upon verification that such individual meets a predetermined list of qualifications, and (D) documented completion of an apprenticeship or job training program; and
- (2) "Credential status type" means the official status of a credential which is either active, deprecated, probationary or superseded.
- (b) Not later than January 1, 2023, the executive director of the Office of Higher Education, in consultation with the advisory council established pursuant to subsection (c) of this section, shall create a database of credentials offered in the state for the purpose of explaining the skills and competencies earned through a credential in uniform terms and plain language. In creating the database, the executive director shall utilize the minimum data policy of the New England Board of Higher Education's High Value Credentials for New England initiative, the uniform terms and descriptions of Credentials Engine's Credential Transparency Description Language and the uniform standards for comparing and linking credentials in Credential Engine's Description Credential Transparency Language-Achievement Standards Network. At a minimum, the database shall include the

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following information for each credential: (1) Credential status type, (2) the entity that owns or offers the credential, (3) the type of credential being offered, (4) a short description of the credential, (5) the name of the credential, (6) the Internet web site that provides information relating to the credential, (7) the language in which the credential is offered, (8) the estimated duration for completion, (9) the industry related to the credential which may include its code under the North American Industry Classification System, (10) the occupation related to the credential which may include its code under the standard occupational classification system of the Bureau of Labor Statistics of the United States Department of Labor or under The Occupational Information Network, (11) the estimated cost for earning the credential, and (12) a listing of online or physical locations where the credential is offered.

(c) There is established an advisory council for the purpose of advising the executive director of the Office of Higher Education on the implementation of the database created pursuant to subsection (b) of this section. The advisory council shall consist of (1) representatives from the Department of Economic and Community Development, Office of Higher Education, Office of Policy and Management, Labor Department, Department of Education, Connecticut State Colleges and Universities, The University of Connecticut and independent institutions of higher education, and (2) the Chief Data Officer, or such officer's designee. The Commissioner of Economic and Community Development, the Chief Data Officer and the executive director of the Office of Higher Education, or their designees, shall be cochairpersons of the advisory council and shall schedule the meetings of the advisory council.

(d) Not later than July 1, 2024, and annually thereafter, each regional workforce development board, community action agency, as defined in section 17b-885 of the general statutes, institution of higher education, private occupational school, provider of an alternate route to certification program approved by the State Board of Education, and provider of a training program listed on the Labor Department's Eligible

Training Provider List shall submit information, in the form and manner prescribed by the executive director of the Office of Higher Education, about any credential offered by such institution, school or provider for inclusion in the database created pursuant to subsection (b) of this section. Such information shall include, but need not be limited to, the data described in subdivisions (1) to (12), inclusive, of subsection (b) of this section, except an institution of higher education may omit the data required pursuant to subdivisions (6), (9) and (10) of subsection (b) of this section if such data is not applicable to a credential offered by such institution.

- (e) Nothing in this section shall be construed to require any state agency or department to submit credential information to the database created pursuant to subsection (b) of this section.
- (f) The Labor Department may, in consultation with the advisory council established pursuant to subsection (c) of this section, require any program sponsor of a preapprenticeship or apprenticeship program registered with the department to submit information about such program to the Office of Higher Education for inclusion in such database.
- Sec. 9. Subsection (l) of section 10a-34 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2021):
 - (l) Notwithstanding the provisions of subsections (b) to (j), inclusive, of this section and subject to the authority of the State Board of Education to regulate teacher education programs, [up to twelve new programs of higher learning in any academic year and any program modifications proposed by] an independent institution of higher education, as defined in section 10a-173, shall not [be subject to] require approval by the Office of Higher Education for any new programs of higher learning or any program modifications proposed by such institution until June 30, 2023, and for up to fifteen new programs of higher learning in any academic year or any program modifications

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proposed by such institution on and after July 1, 2023, provided (1) the institution maintains eligibility to participate in financial aid programs governed by Title IV, Part B of the Higher Education Act of 1965, as amended from time to time, (2) the United States Department of Education has not determined that the institution has a financial responsibility score that is less than 1.5 for the most recent fiscal year for which the data necessary for determining the score is available, and (3) the institution has been located in the state and accredited as a degreegranting institution in good standing for ten years or more by a regional accrediting association recognized by the Secretary of the United States Department of Education and maintains such accreditation status. Each institution that is exempt from program approval by the Office of Higher Education under this subsection shall file with the office (A) on and after July 1, 2023, an application for approval of any new program of higher learning in excess of [twelve] fifteen new programs in any academic year, (B) a program actions form, as created by the office, prior to students enrolling in any new program of higher learning or any existing program subject to a program modification, and (C) not later than July first, and annually thereafter, (i) until June 30, 2024, a list and brief description of any new programs of higher learning introduced by the institution in the preceding academic year and any existing programs of higher learning discontinued by the institution in the preceding academic year, (ii) the institution's current program approval process and all actions of the governing board concerning approval of any new program of higher learning, and (iii) the institution's financial responsibility composite score, as determined by the United States Department of Education, for the most recent fiscal year for which the data necessary for determining the score is available.

Sec. 10. (*Effective July 1, 2021*) Not later than October 1, 2023, the executive director of the Office of Higher Education shall submit recommendations, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to higher education on program approval and modification required pursuant to the provisions

- of section 10a-34 of the general statutes.
- Sec. 11. Section 10a-35a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):
- 410 (a) Notwithstanding sections 10a-34 to 10a-35, inclusive, as amended 411 by this act, the Board of Regents for Higher Education shall have the 412 authority, in accordance with the provisions of said sections and the 413 standards set forth in any regulations promulgated thereunder, to (1) 414 review and approve recommendations for the establishment of new 415 academic programs for the universities within the Connecticut State 416 University System, the regional community-technical colleges and 417 Charter Oak State College, and (2) until June 30, 2024, report all new 418 programs and program changes to the Office of Higher Education.
- 419 (b) Notwithstanding sections 10a-34 to 10a-35, inclusive, as amended 420 by this act, the Board of Trustees for The University of Connecticut shall 421 (1) have the authority, in accordance with the provisions of said sections 422 and the standards set forth in any regulations promulgated thereunder, 423 to review and approve recommendations for the establishment of new 424 academic programs at the university, and (2) until June 30, 2024, report 425 all new programs and program changes to the Office of Higher 426 Education.
- Sec. 12. Subsection (a) of section 10a-6 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2021):
- 430 (a) The Board of Regents for Higher Education shall: (1) Establish 431 policies and guidelines for the Connecticut State University System, the 432 regional community-technical college system and Charter Oak State 433 College; (2) develop a master plan for higher education and 434 postsecondary education at the Connecticut State University System, 435 the regional community-technical college system and Charter Oak State 436 College consistent with the goals identified in section 10a-11c; (3) 437 establish tuition and student fee policies for the Connecticut State 438 University System, the regional community-technical college system

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and Charter Oak State College; (4) monitor and evaluate the effectiveness and viability of the state universities, the regional community-technical colleges and Charter Oak State College in accordance with criteria established by the board; (5) merge or close institutions within the Connecticut State University System, the regional community-technical college system and Charter Oak State College in accordance with criteria established by the board, provided (A) such recommended merger or closing shall require a two-thirds vote of the board, and (B) notice of such recommended merger or closing shall be sent to the committee having cognizance over matters relating to education and to the General Assembly; (6) review and approve mission statements for the Connecticut State University System, the regional community-technical college system and Charter Oak State College and role and scope statements for the individual institutions and campuses of such constituent units; (7) review and approve any recommendations for the establishment of new academic programs submitted to the board by the state universities within the Connecticut State University System, the regional community-technical colleges and Charter Oak State College, and, in consultation with the affected constituent units, provide for the initiation, consolidation or termination of academic programs; (8) develop criteria to ensure acceptable quality in (A) programs at the Connecticut State University System, the regional community-technical college system and Charter Oak State College, and (B) institutions within the Connecticut State University System and the regional community-technical college system and enforce standards through licensing and accreditation; (9) prepare and present to the Governor and General Assembly, in accordance with section 10a-8, consolidated operating and capital expenditure budgets for the Connecticut State University System, the regional community-technical college system and Charter Oak State College developed in accordance with the of said 10a-8; (10) review provisions section and recommendations on plans received from the Connecticut State University System, the regional community-technical college system and Charter Oak State College to implement the goals identified in section 10a-11c; (11) appoint advisory committees with representatives

474 from public and independent institutions of higher education to study 475 methods and proposals for coordinating efforts of the public institutions 476 of higher education under its jurisdiction with The University of 477 Connecticut and the independent institutions of higher education to 478 implement the goals identified in section 10a-11c; (12) evaluate (A) 479 means of implementing the goals identified in section 10a-11c, and (B) 480 any recommendations made by the Planning Commission for Higher 481 Education in implementing the strategic master plan pursuant to section 482 10a-11b through alternative and nontraditional approaches such as 483 external degrees and credit by examination; (13) coordinate programs 484 and services among the Connecticut State University System, the 485 regional community-technical college system and Charter Oak State 486 College; (14) assess opportunities for collaboration with The University 487 of Connecticut and the independent institutions of higher education to 488 implement the goals identified in section 10a-11c; (15) make or enter into 489 contracts, leases or other agreements in connection with its 490 responsibilities under this part, provided all acquisitions of real estate 491 by lease or otherwise shall be subject to the provisions of section 4b-23; 492 (16) be responsible for the care and maintenance of permanent records 493 of institutions of higher education dissolved after September 1, 1969; 494 (17) prepare and present to the Governor and General Assembly 495 legislative proposals affecting the Connecticut State University System, 496 the regional community-technical college system and Charter Oak State 497 College; (18) develop and maintain a central higher education 498 information system and establish definitions and data requirements for 499 the Connecticut State University System, the regional community-500 technical college system and Charter Oak State College; (19) until June 501 30, 2024, report all new programs and program changes at the Connecticut State University System, the regional community-technical 502 503 college system and Charter Oak State College to the Office of Higher 504 Education; and (20) undertake such studies and other activities as will 505 best serve the higher educational interests of the Connecticut State 506 University System, the regional community-technical college system 507 and Charter Oak State College.

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Sec. 13. (NEW) (Effective July 1, 2021) (a) Not later than January 1, 2023, each private occupational school, as defined in section 10a-22a of the general statutes, regional workforce development board, community action agency, as defined in section 17b-885 of the general statutes, and each provider of an alternate route to certification program approved by the State Board of Education, shall submit, in a form and manner prescribed by the executive director of the Office of Higher Education, certain data collected by such school, board, agency or program for each student or trainee enrolled in a program that earns a credential, as defined in section 8 of this act, offered by such school, board, agency or program. Such data shall include, but need not be limited to, gender identity, age, race, ethnicity, course enrollment, course completion, credential completion, fees and tuition charged, federal student loans received, federal student loan balances, and for any student who has a state-assigned student identifier pursuant to section 10-10a of the general statutes, such student identifier. Nothing in this subsection shall be construed to require a student or trainee to provide information about gender identity, age, race or ethnicity if not otherwise required by law.

(b) Personally identifiable information provided to the Office of Higher Education pursuant to subsection (a) of this section shall not be deemed to be a public record for purposes of the Freedom of Information Act, as defined in section 1-200 of the general statutes, and shall not be subject to disclosure under the provisions of section 1-210 of the general statutes. The office may share information submitted pursuant to subsection (a) of this section with another state agency, another state or territory, the federal government or to support a data request submitted through CP20 WIN in accordance with the policies and procedures of CP20 WIN, established pursuant to section 10a-57g of the general statutes, for the purposes of program administration, audit, evaluation or research, provided the recipient of such data agrees to a data sharing agreement pursuant to section 15 of this act if such recipient is not a state agency, another state or territory or the federal government.

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Sec. 14. Subsection (j) of section 31-225a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2021):

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- (j) (1) (A) Each employer subject to this chapter shall submit quarterly, on forms supplied by the administrator, a listing of wage information, including the name of each employee receiving wages in employment subject to this chapter, such employee's Social Security account number and the amount of wages paid to such employee during such calendar quarter.
- (B) Commencing with the third calendar quarter of 2024, unless waived pursuant to subdivision (5) of this subsection, any employer subject to this chapter, with one hundred or more employees, shall include in the quarterly filing submitted pursuant to subparagraph (A) of this subdivision, the following data for each employee receiving wages in employment subject to this chapter: Such employee's gender identity, age, race, ethnicity, veteran status, disability status, highest education completed, home address, address of primary work site, occupational code under the standard occupational classification system of the Bureau of Labor Statistics of the United States Department of Labor, hours worked, days worked, salary or hourly wage, employment start date in the current job title and, if applicable, employment end date. The information required pursuant to this subparagraph shall be included in the quarterly filings of employers subject to this chapter with ninety-nine or fewer employees commencing with the third calendar quarter of 2026, except employers subject to this chapter with forty-nine or fewer employees without an electronic payroll system shall include such information commencing with the third calendar quarter of 2028. Nothing in this subparagraph shall be construed to require an employee to provide information about gender identity, age, race, ethnicity, veteran status or disability status if not otherwise required by law. The administrator may issue guidance defining each such data field.
 - (2) [Commencing with the first calendar quarter of 2014, each] Each

employer subject to this chapter who reports wages for employees receiving wages in employment subject to this chapter, and each person or organization that, as an agent, reports wages for employees receiving wages in employment subject to this chapter on behalf of one or more employers subject to this chapter shall submit quarterly the information required by subdivision (1) of this subsection [on magnetic tape, diskette, or other similar electronic means which the administrator may prescribe] electronically, in a format and manner prescribed by the administrator, unless such employer or agent receives a waiver pursuant to subdivision (5) of this subsection.

- (3) Any employer that fails to submit the information required by subparagraph (A) of subdivision (1) of this subsection in a timely manner, as determined by the administrator, shall be liable to the administrator for a late filing fee of twenty-five dollars. Any employer that fails to submit the information required by subparagraph (A) of subdivision (1) of this subsection under a proper state unemployment compensation registration number shall be liable to the administrator for a fee of twenty-five dollars. All fees collected by the administrator under this subdivision shall be deposited in the Employment Security Administration Fund.
- (4) [Commencing with the first calendar quarter of 2014, each] <u>Each</u> employer subject to this chapter who makes contributions or payments in lieu of contributions for employees receiving wages in employment subject to this chapter, and each person or organization that, as an agent, makes contributions or payments in lieu of contributions for employees receiving wages in employment subject to this chapter on behalf of one or more employers subject to this chapter shall make such contributions or payments in lieu of contributions electronically.
- (5) Any employer or any person or organization that, as an agent, [submits] <u>is required to submit</u> information pursuant to subdivision (2) of this subsection, [or makes] <u>make</u> contributions or payments in lieu of contributions pursuant to subdivision (4) of this subsection <u>or submit information pursuant to subparagraph</u> (B) of subdivision (1) of this

subsection may request in writing, not later than thirty days prior to the date a submission of information or a contribution or payment in lieu of contribution is due, that the administrator waive [the] such requirement. [that such submission or contribution or payment in lieu of contribution be made electronically.] The administrator shall grant such request if, on the basis of information provided by such employer or person or organization and on a form prescribed by the administrator, the administrator finds that there would be undue hardship for such employer or person or organization. The administrator shall promptly inform such employer or person or organization of the granting or rejection of the requested waiver. The decision of the administrator shall be final and not subject to further review or appeal. Such waiver shall be effective for twelve months from the date such waiver is granted.

(6) The name and identifying information of an employer and personally identifying information about an employee provided to the administrator pursuant to subparagraph (B) of subdivision (1) of this subsection shall not be deemed to be a public record for purposes of the Freedom of Information Act, as defined in section 1-200, and shall not be subject to disclosure under the provisions of section 1-210. The administrator or the department may share information provided pursuant to subparagraph (B) of subdivision (1) of this subsection with another state agency, another state or territory, the federal government or to support a data request submitted through CP20 WIN in accordance with the policies and procedures of CP20 WIN, established pursuant to section 10a-57g, for the purposes of program administration, audit, evaluation or research, provided the recipient of such data enters into a data sharing agreement pursuant to section 15 of this act if such recipient is not a state agency, another state or territory, or the federal government.

Sec. 15. (NEW) (*Effective July 1, 2021*) (a) Any office, department, board, commission, public institution of higher education or other instrumentality of the state may, when otherwise allowed by state and federal law, enter into a data sharing agreement with one or more

individuals or organizations that allows for the sharing of data held by such state instrumentality. Such agreement shall include, but need not be limited to, the following provisions:

- (1) The purpose for which any party that has entered into a data sharing agreement with a state instrumentality will use such data and a restriction that such data may only be used for purposes authorized in the data sharing agreement;
- (2) The specific individuals, within any party that has entered into a data sharing agreement with a state instrumentality, who may access or use such data;
 - (3) Data provided by the state instrumentality shall not be shared with another party unless such party has entered into a data sharing agreement with such instrumentality pursuant to this section and with approval from such instrumentality;
- (4) Data shall not be copied or stored in any location by any party, unless approved by the state instrumentality in the agreement;
- (5) All data shall be stored and accessed in a secure manner, as prescribed in the data sharing agreement;
- (6) Any party that has entered into a data sharing agreement shall
 immediately notify the state instrumentality of any breach of such
 agreement;
- (7) The data shall not be considered the property of the party that has entered into a data sharing agreement with such state instrumentality;
- (8) If any provision of the data sharing agreement or the application of such agreement is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of such agreement that can be given effect without the invalid provision or application;
- 670 (9) A party entering into a data sharing agreement shall not (A) use

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671 records or information obtained for such data for the purpose of

- enforcing federal immigration law, or (B) share, disclose or make
- accessible in any manner, directly or indirectly, such information or
- 674 records to any federal or state agency that enforces federal immigration
- law, or to any officer or agent of such agency;
- 676 (10) A party entering into a data sharing agreement shall not share, 677 disclose or make accessible in any manner, directly or indirectly, such
- 678 information or records that are not subject to disclosure under the
- 679 provisions of section 1-210 of the general statutes;
- (11) A data sharing agreement shall have an explicit term of length,
- which shall not exceed a term of two years;
- 682 (12) No algorithm or learning model derived from data provided by
- a state instrumentality pursuant to a data sharing agreement shall be
- retained or used by the party who entered into such agreement after the
- expiration of the term of such agreement; and
- 686 (13) Any research for which data will be provided pursuant to a data
- sharing agreement shall first be approved by an institutional review
- 688 board at an institution of higher education or by an institutional review
- 689 board at a state instrumentality.
- (b) No state instrumentality may enter into a data sharing agreement
- 691 (1) with any party who has been found to have breached an existing or
- 692 prior agreement with a state instrumentality entered into pursuant to
- 693 this section for a period of five years following such breach, (2) for the
- 694 purpose of selling data, sharing data for resale or for any other
- 695 commercial purpose, or (3) regarding data that is not subject to
- disclosure under the provisions of section 1-210 of the general statutes
- 697 unless the party that enters into such data agreement is able to exempt
- 698 such data from any local, state or federal freedom of information or
- 699 right-to-know act.
- 700 (c) Each state instrumentality shall deidentify the data shared pursuant to a data sharing agreement to the greatest extent possible.

(d) Any data sharing agreement entered into pursuant to subsection (a) of this section shall be deemed a public record. Any state instrumentality that enters into such an agreement shall not release any information that may endanger data security or safety.

- (e) Not later than January 1, 2022, and annually thereafter, each state instrumentality shall submit, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having primary cognizance over such instrumentality, a summary of each data sharing agreement such instrumentality has entered into pursuant to this section and copy of such agreement.
- Sec. 16. Subsection (b) of section 12-15 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1, 2021):
 - (b) The commissioner may disclose (1) returns or return information to (A) an authorized representative of another state agency or office, upon written request by the head of such agency or office, when required in the course of duty or when there is reasonable cause to believe that any state law is being violated, or (B) an authorized representative of an agency or office of the United States, upon written request by the head of such agency or office, when required in the course of duty or when there is reasonable cause to believe that any federal law is being violated, provided no such agency or office shall disclose such returns or return information, other than in a judicial or administrative proceeding to which such agency or office is a party pertaining to the enforcement of state or federal law, as the case may be, in a form which can be associated with, or otherwise identify, directly or indirectly, a particular taxpayer except that the names and addresses of jurors or potential jurors and the fact that the names were derived from the list of taxpayers pursuant to chapter 884 may be disclosed by the Judicial Branch; (2) returns or return information to the Auditors of Public Accounts, when required in the course of duty under chapter 23; (3) returns or return information to tax officers of another state or of a

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Canadian province or of a political subdivision of such other state or province or of the District of Columbia or to any officer of the United States Treasury Department or the United States Department of Health and Human Services, authorized for such purpose in accordance with an agreement between this state and such other state, province, political subdivision, the District of Columbia or department, respectively, when required in the administration of taxes imposed under the laws of such other state, province, political subdivision, the District of Columbia or the United States, respectively, and when a reciprocal arrangement exists; (4) returns or return information in any action, case or proceeding in any court of competent jurisdiction, when the commissioner or any other state department or agency is a party, and when such information is directly involved in such action, case or proceeding; (5) returns or return information to a taxpayer or its authorized representative, upon written request for a return filed by or return information on such taxpayer; (6) returns or return information to a successor, receiver, trustee, executor, administrator, assignee, guardian or guarantor of a taxpayer, when such person establishes, to the satisfaction of the commissioner, that such person has a material interest which will be affected by information contained in such returns or return information; (7) information to the assessor or an authorized representative of the chief executive officer of a Connecticut municipality, when the information disclosed is limited to (A) a list of real or personal property that is or may be subject to property taxes in such municipality, or (B) a list containing the name of each person who is issued any license, permit or certificate which is required, under the provisions of this title, to be conspicuously displayed and whose address is in such municipality; (8) real estate conveyance tax return information or controlling interest transfer tax return information to the town clerk or an authorized representative of the chief executive officer of a Connecticut municipality to which the information relates; (9) estate tax returns and estate tax return information to the Probate Court Administrator or to the court of probate for the district within which a decedent resided at the date of the decedent's death, or within which the commissioner contends that a decedent resided at the date of the decedent's death or,

if a decedent died a nonresident of this state, in the court of probate for the district within which real estate or tangible personal property of the decedent is situated, or within which the commissioner contends that real estate or tangible personal property of the decedent is situated; (10) returns or return information to the (A) Secretary of the Office of Policy and Management for purposes of subsection (b) of section 12-7a, and (B) Office of Fiscal Analysis for purposes of, and subject to the provisions of, subdivision (2) of subsection (f) of section 12-7b; (11) return information to the Jury Administrator, when the information disclosed is limited to the names, addresses, federal Social Security numbers and dates of birth, if available, of residents of this state, as defined in subdivision (1) of subsection (a) of section 12-701; (12) returns or return information to any person to the extent necessary in connection with the processing, storage, transmission or reproduction of such returns or return information, and the programming, maintenance, repair, testing or procurement of equipment, or the providing of other services, for purposes of tax administration; (13) without written request and unless the commissioner determines that disclosure would identify a confidential informant or seriously impair a civil or criminal tax investigation, returns and return information which may constitute evidence of a violation of any civil or criminal law of this state or the United States to the extent necessary to apprise the head of such agency or office charged with the responsibility of enforcing such law, in which event the head of such agency or office may disclose such return information to officers and employees of such agency or office to the extent necessary to enforce such law; (14) names and addresses of operators, as defined in section 12-407, to tourism districts, as defined in section 10-397; (15) names of each licensed dealer, as defined in section 12-285, and the location of the premises covered by the dealer's license; (16) to a tobacco product manufacturer that places funds into escrow pursuant to the provisions of subsection (a) of section 4-28i, return information of a distributor licensed under the provisions of chapter 214 or chapter 214a, provided the information disclosed is limited to information relating to such manufacturer's sales to consumers within this state, whether directly or through a distributor, dealer or similar

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intermediary or intermediaries, of cigarettes, as defined in section 4-28h, and further provided there is reasonable cause to believe that such manufacturer is not in compliance with section 4-28i; (17) returns, which shall not include a copy of the return filed with the commissioner, or return information for purposes of section 12-217z; (18) returns or return information to the State Elections Enforcement Commission, upon written request by said commission, when necessary to investigate suspected violations of state election laws; [and] (19) returns or return information for purposes of, and subject to the conditions of, subsection (e) of section 5-240; and (20) to the extent allowable under federal law, return information to another state agency or to support a data request submitted through CP20 WIN, established in section 10a-57g, in accordance with the policies and procedures of CP20 WIN for the purposes of evaluation or research, provided the recipient of such data enters into a data sharing agreement pursuant to section 15 of this act if such recipient is not a state agency.

- Sec. 17. Section 10a-223 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):
- In this chapter, the following words and terms shall have the following meanings unless the context indicates another or different meaning or intent:
- 826 (1) "Authority" means the Connecticut Higher Education 827 Supplemental Loan Authority constituted as a subsidiary of the 828 Connecticut Health and Educational Facilities Authority as provided in 829 section 10a-179a;
- (2) "Authorized officer" means an employee of the Connecticut Health and Educational Facilities Authority or of the authority who is authorized by the board of directors of the authority to execute and deliver documents and papers and to act in the name of and on behalf of the authority;
- 835 (3) "Authority loans" means education loans by the authority, or loans 836 by the authority from the proceeds of bonds for the purpose of funding

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- 837 education loans;
- 838 (4) "Board" means the board of directors of the authority;
- 839 (5) "Bonds" or "revenue bonds" means revenue bonds or notes of the 840 authority issued under the provisions of this chapter, including revenue 841 refunding bonds or notes;
- 842 (6) "Bond resolution" means the resolution or resolutions of the 843 authority and the trust agreement, if any, authorizing the issuance of 844 and providing for the terms and conditions applicable to bonds;
- 845 (7) "Borrower" means (A) an individual who has an outstanding loan 846 from the authority, (B) an individual who attends a Connecticut institution for higher education, enrolls in a Connecticut high-value 847 848 certificate program or currently resides in the state, and has received or 849 agreed to pay an education loan, or (C) any parent who has received or 850 agreed to pay an education loan on behalf of an individual who attends 851 a Connecticut institution for higher education or currently resides in the 852 state;
- 853 (8) "Connecticut Health and Educational Facilities Authority" means 854 the quasi-public authority established pursuant to section 10a-179;
- 855 (9) "Connecticut institution for higher education" means an 856 institution for higher education within the state;
- 857 (10) "Default insurance" means insurance insuring education loans, 858 authority loans or bonds against default;
- 859 (11) "Default reserve fund" means a fund established pursuant to a bond resolution for the purpose of securing education loans, authority 860 861 loans or bonds:
- 862 (12) "Education loan" means a loan which is made to a student in or 863 from the state or a parent of such student to finance attendance at an 864 institution for higher education or enrollment in a high-value certificate program, or to a borrower to refinance one or more eligible loans;

(13) "Loan funding deposit" means moneys or other property deposited by a Connecticut institution for higher education with the authority, a guarantor or a trustee for the purpose of (A) providing security for bonds, (B) funding a default reserve fund, (C) acquiring default insurance, or (D) defraying costs of the authority, such moneys or properties to be in such amounts as deemed necessary by the authority or guarantor as a condition for such institution's participation in the authority's programs;

- (14) "Institution for higher education" means a degree-granting educational institution within the United States authorized by applicable law to provide a program of education beyond the high school level and (A) described in Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, and exempt from taxation under Section 501(a) of said code with respect to a trade or business carried on by such institution which is not an unrelated trade or business, determined by applying Section 513(a) of said code to such organization or a foundation established for its benefit, or (B) exempt from taxation under said code as a governmental unit;
- (15) "Participating institution for higher education" means a Connecticut institution for higher education which, pursuant to the provisions of this chapter, undertakes the financing directly or indirectly of education loans as provided in this chapter;
- (16) "Parent" means any parent, legal guardian or sponsor of a student at an institution for higher education <u>or enrolled in a high-value</u> <u>certificate program;</u>
- (17) "Education loan series portfolio" means all education loans made by the authority or by or on behalf of a specific participating institution for higher education which are funded from the proceeds of a related specific bond issue of the authority;
- (18) "Education assistance program" means a program to assist in financing the costs of education through education loans or education

grants, or both;

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899 (19) "Education grant" means a grant, scholarship, fellowship or other 900 nonrepayable assistance awarded by the authority to a student currently 901 residing in the state to finance the attendance of the student at a 902 Connecticut institution for higher education or enrollment in a 903 Connecticut high-value certificate program, or a grant, scholarship, 904 fellowship or other nonrepayable assistance awarded by or on behalf of 905 a Connecticut institution for higher education from the proceeds of 906 funds provided by the authority to a student from the state to finance 907 the student's attendance at such institution; [and]

- (20) "Eligible loan" means any loan that is in repayment that was (A) made by the authority, or (B) made to a borrower by any other private or governmental lender to finance attendance at an institution for higher education [.] or enrollment in a high-value certificate program;
- 912 (21) "High-value certificate program" means a noncredit sub-913 baccalaureate certificate program offered by an institution of higher 914 education or a private occupational school that the Department of 915 Economic and Community Development determines to meet the needs 916 of employers in the state; and
- 917 (22) "Connecticut high-value certificate program" means a high-value 918 certificate program offered by an institution of higher education or a 919 private occupational school in the state.
- Sec. 18. (NEW) (Effective July 1, 2021) The Connecticut Higher 920 921 Education Supplemental Loan Authority shall establish an account to be 922 known as the Certificate Loan Loss Reserve and Funding account, which 923 shall be a separate, nonlapsing account. The account shall contain any 924 moneys required by law to be deposited in the account, including, but 925 not limited to, state appropriations or proceeds from the sale of bonds. 926 Moneys in the account shall be expended by the authority to (1) fund 927 authority loans issued to a borrower to finance enrollment in a 928 Connecticut high-value certificate program, as defined in section 10a-929 223 of the general statutes, as amended by this act, (2) to cover any losses

incurred by the authority from issuing such authority loans, (3) for reasonable and necessary expenses for the administration of such authority loans, and (4) any initial implementation expenses prior to the origination of such authority loans."

This act shall take effect as follows and shall amend the following		
sections:		
Section 1	July 1, 2021	New section
Sec. 2	July 1, 2021	New section
Sec. 3	July 1, 2021	New section
Sec. 4	July 1, 2021	New section
Sec. 5	July 1, 2021	New section
Sec. 6	July 1, 2021	New section
Sec. 7	July 1, 2021	New section
Sec. 8	July 1, 2021	New section
Sec. 9	July 1, 2021	10a-34(l)
Sec. 10	July 1, 2021	New section
Sec. 11	July 1, 2021	10a-35a
Sec. 12	July 1, 2021	10a-6(a)
Sec. 13	July 1, 2021	New section
Sec. 14	July 1, 2021	31-225a(j)
Sec. 15	July 1, 2021	New section
Sec. 16	October 1, 2021	12-15(b)
Sec. 17	October 1, 2022	10a-223
Sec. 18	July 1, 2021	New section

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